IN THE HIGH COURT OF UTTARAKHAND ATNAINITAL

Writ Petition No. 403 of 2007 (M/S)

Smt. Shahana Khatoon W/O Late Rais Khan, R/O Tildukri Patralay, Siltham, District Pithoragarh.

.....… Petitioner.

Versus

1. State of Uttarakhand through Collector Pithoragarh, District Pithoragarh.
2. Assistant Collector Pithoragarh, District Pithoragarh.
3. Tehsildar, Tehsil Pithoragarh, District Pithoragarh.
4. Nagar Palika Parishad, Pithoragarh through its Executive Officer.
5. Prescribed Authority, Regulating Area, Pithoragarh, District Pithoragarh.
6. Ameen Khan S/O Late Sardar Khan, R/O Near Deb Singh Inter College Pithoragarh, District Pithoragarh.

…..Respondents.

Sri Kurban Ali & Mr. L.K.Tiwari, learned counsel for the petitioner.
Sri Gopal Narain Srivastava, Brief Holder of the State, learned counsel for the respondent-State.
Sri Vikas Pande, Adv., learned counsel for the respondent no.4-Nagar Palika.

Dated May 11, 2007.

Hon'ble B.S.Verma, J.

The petitioner has filed the present writ petition for issue a writ, order or direction in the nature of Certiorari to quash the map/building plan of plot no. 1105/1 situated at Near Dev Singh Inter College, Pithoragarh, District Pithoragarh, passed in favour of respondent no.6 (Annexure No.4) whereby the map of respondent no.6 has been sanctioned. Prayer for mandamus of this Court directing the respondent authorities to restrain the construction of the respondent no.6 in the said plot has also been made.

The petitioner has alternate remedy to pursue the relief before the appropriate Forum. On the ground of alternate remedy, I am not inclined to entertain the writ petition.

Accordingly, writ petition is dismissed in limine. However, the petitioner may avail appropriate remedy before appropriate Forum.

All applications stand disposed of.

(B.S.Verma, J.)

RCP